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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,010	07/21/2006	Daisuke Kumaki	0553-0506	9347
24628	7590	09/20/2011	EXAMINER	
Husch Blackwell LLP			GARRETT, DAWN L	
Husch Blackwell Sanders LLP Welsh & Katz			ART UNIT	PAPER NUMBER
120 S RIVERSIDE PLAZA			1786	
22ND FLOOR				
CHICAGO, IL 60606				
MAIL DATE		DELIVERY MODE		
09/20/2011		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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SEP 20 2011

Mailed:

In re application of
Leach et al.
Serial No. 10/587,010

Filed: 07/21/2006

For: **LIGHT EMITTING ELEMENT AND LIGHT
EMITTING DEVICE USING THE SAME**

DECISION ON
PETITION

This is a decision on a PETITION filed June 3, 2011, which has been accepted as a timely petition under 1.59(b) and MPEP 724.02 and is before the Group Director of Technology Center 1700 for consideration.

DECISION

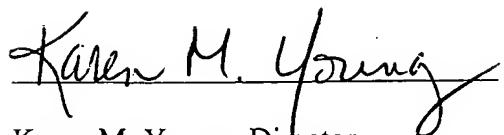
Petitioner requests that the document identified as an English translation of JP Patent Publication No. 2003-264085 be expunged and the previous PTO-1449 be replaced with the newly submitted PTO-1449. The petition is **GRANTED**.

Section 1.59 has been amended to eliminate references to returning documents that have been expunged to recognize that, with electronic Official files, there will be nothing to return when a paper is expunged.

The Office is capturing electronic images of all documents that form the Official file. Where the image is generated from a physical source document, the originating document may be disposed of once the electronic image accuracy is verified. The paper source document will eventually be destroyed under a United States National Archives and Records Administration (NARA) approved schedule. Therefore, if a document is to be expunged from the record, the only operation that will be required will be removal of the image from the Official file.

Paragraph (a)(1) of §1.59 has been amended by deleting the phrase "and returned" from the first sentence, and deleting the second sentence. Paragraph (b) of §1.59 has been amended by deleting the phrase "and return" from each of the first and second sentences. The Office will continue to provide notice in the Official file that a paper has been expunged and the Office will send a decision to the applicant notifying the applicant that the paper has been expunged.

The images will be removed from the Official file.



Karen M. Young, Director
Technology Center 1700
Chemical and Materials Engineering

wk

Mark J. Murphy
Husch Blackwell LLP
Husch Blackwell Sanders LLP Welsh & Katz
120 S RIVERSIDE PLAZA
22ND FLOOR
CHICAGO IL 60606